

**REMARKS**

Claims 1, 3-11, 13-16 and 18-29 are now in this application. Claims 1-25 are rejected. Claims 2, 12 and 17 are cancelled. Claims 1, 11 and 16 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. New claims 26-29 are added.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims and objection cited in the above-referenced Office Action.

The drawings are objected to by the Examiner as allegedly failing to include reference designator 32 in Fig. 3. Applicants respectfully traverse this objection. It is respectfully submitted that the numeral 32 is already in Fig. 3, and that therefore no amendment to the figure is necessary. Applicants direct the Examiner's attention to its location directly under power level "C" and above the second letter "M" in "COMMAND" (or between reference designators 323 and 324, in Fig. 3. Withdrawal of the objection to the drawings is therefore respectfully requested.

The abstract is objected to on the basis that it contains legal terms. A replacement abstract is provided herein on a separate page. It is submitted that the replacement abstract is in full conformance with 37 CFR 1.72 and MPEP 608.01(b). Therefore, reconsideration of the objection to the abstract is respectfully requested.

Claims 2, 12 and 17 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action. The claims are cancelled herein, rendering the rejection moot.

Claims 1-4, 8-14, 16-19 and 23-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nagano Winter Olympics '98 (Nagano). Applicants herein respectfully traverse these rejections.

For a rejection to be sustained under §102(b) each and every element of the claimed invention must be disclosed in the cited prior art reference. It is respectfully submitted that the cited reference fails to disclose at least the following features and elements of the present invention as noted herein.

Independent claims 1, 11 and 16 are amended, and now include a recitation in accordance with which a size of a mark is changeable corresponding to the degree of difficulty of a technique to be performed by a play character, the size of such mark then being set in response to operations of a second operable member by the game player within a predetermined time period. It is respectfully submitted that the cited Nagano fails to teach or suggest this feature now claimed in independent claims 1, 11 and 16 in their amended form.

Claims 1, 11 and 16 are amended as noted above and particularly describe and distinctly claim elements not disclosed in the cited reference. The remaining rejected claims depend variously therefrom, and therefore also contain this feature

lacking in the Nagano reference. Therefore, reconsideration of the rejections of claims 1-4, 8-14, 16-19 and 23-25 and their allowance are respectfully requested.

Claims 5-7, 15 and 20-22 are rejected as obvious over Nagano Winter Olympics '98 (Nagano) in view of Links 386 CD Players Manual (Links) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection.

For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary Links reference does not provide the teaching noted above with respect to the anticipation rejection of claims 1, 11 and 16, from which the rejected claims depend, that is absent from the primary Nagano reference. Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejections of claims 5-7, 15 and 20-22 and their allowance are respectfully requested.

Claims 26-29 are added and are submitted as patentable over the cited art of record insofar as they recite features not believed disclosed in the cited art in the manner as claimed. Favorable action on the merits is earnestly solicited.

One (1) claim in excess of twenty is added. One (1) further independent claim in excess of three is added. Accordingly, please charge the fee of \$102 to Deposit Account No. 10-1250.

## APPENDIX I

AMENDED CLAIMS WITH AMENDMENTS INDICATED THEREIN  
BY BRACKETS AND UNDERLINING

1. (Amended) A video game device for displaying a play character on a game screen image displayed on a monitor and causing the play character to perform a plurality of techniques having different degrees of difficulty, comprising:

a degree of difficulty setting unit for setting a degree of difficulty of a technique to be performed by the play character, said degree of difficulty setting unit including a mark changing unit for changing a size of a mark, said size of said mark corresponding to the degree of difficulty of the technique;

a command guiding unit for guiding an command input for causing the play character to perform a technique corresponding to the set degree of difficulty,

an operation unit for causing the play character to perform the technique according to the set degree of difficulty, the operation unit including:

a first operable member for inputting the command in accordance with the command input guide given by the command guiding unit, and

a second operable member, operated by a game player, for causing said mark changing unit to set the size of said mark in response to operations of said second operable member performed by the game player within a predetermined time period;

an evaluating unit for evaluating the technique performed in accordance with a command given by the first operable member.

11. (Amended) A technique setting method for setting a technique in a video game for displaying a play character on a game screen image displayed on a monitor and causing the play character to perform a plurality of techniques having

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

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different degrees of difficulty and prepared in advance by operating an operation unit, the method comprising the steps of:

setting a degree of difficulty of a technique to be performed by the play character[,];

changing a size of a mark in a manner corresponding to the degree of difficulty of the technique;

guiding an inputting operation of a command for causing the play character to perform a technique corresponding to the set degree of difficulty[, and];

evaluating the technique performed by inputting the command in accordance with the guide through operation of a first operable member [provided in the operation unit]; and

setting the size of said mark in response to operations of a second operable member by the game player within a predetermined time period.

16. (Amended) A computer readable recording medium storing a technique setting program in a video game for displaying a play character in a game screen image displayed on a monitor and causing the play character to perform a plurality of techniques having different degrees of difficulty and prepared in advance by operating an operation unit, the technique setting program comprising the steps of:

setting a degree of difficulty of a technique to be performed by the play character[,];

changing a size of a mark in a manner corresponding to the degree of difficulty of the technique;

guiding an inputting operation of a command for causing the play character to perform a technique corresponding to the set degree of difficulty[, and];

evaluating the technique performed by inputting the command in accordance with the guide through operation of a first operable member [provided in the operation unit]; and

setting the size of said mark in response to operations of a second operable member by the game player within a predetermined time period.